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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,432	11/28/2003	Young Hoon Kwark	YOR920030378US1	7371

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EXAMINER

BEVERIDGE, RACHEL E

ART UNIT	PAPER NUMBER
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1725

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/722,432

Applicant(s)

KWARK ET AL.

Examiner

Rachel E. Beveridge

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 May 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: 4, 6, 16, 18, 21, 22, and 28-30.
Claim(s) rejected: 1-3, 5, 7-15, 17, 19, 20, 23, 24 and 27.
Claim(s) withdrawn from consideration: 25 and 26.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☒ Other: see continuation sheet.

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CONTINUATION OF ITEM 13

Election/Restrictions

Applicant's election with traverse of claims 25 and 26 in the reply filed on May 15, 2006 is acknowledged. The traversal is on the ground(s) that the record fails to reflect a reasonable support for the position that "lead frame or lead-less plural joint forming can make the electronic product" and that the term "bonding wire" is a term of art that cannot be ignored in the restriction requirement analysis and "it will be necessary for the USPTO to provide some evidence that such plurality of bonding wires for a single signal line are used in an apparatus" (page 9). This is not found persuasive because a search of Group II, claims 25 and 26, would require a search in class/subclass 438/26, which is not required for a search of Group I (classified in 228/180.5). Furthermore, the MPEP states, "separate classification thereof: This shows that each **>invention<** has attained recognition in the art as a separate subject for inventive effort, and also a separate field of search. Patents need not be cited to show separate classification" (MPEP 808.02).

The requirement is still deemed proper and is therefore made FINAL.

Response to Arguments

Applicant's arguments filed May 15, 2006 have been fully considered but they are not persuasive. Applicant argues "that there are elements of the claimed invention which are neither taught nor suggested by Horiuchi or Notani, when properly interpreted" (page 10). The examiner reminds applicant that during patent examination, the pending claims must be "given the broadest reasonable interpretation." Applicant

always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

Applicant argues, "Horiuchi fails to teach or suggest the method of the present invention of using a plurality of bonding wires configured to provide a controlled impedance effect" (page 10). The applicant states, Horiuchi does not teach or suggest the "clear language" of the claims (page 10). The examiner disagrees. The examiner points the applicant to Horiuchi's teaching of bonding wires (20) operating as a coaxial cable line, and his statement that "it is also possible to make the impedance-matching as a signal line by the selection of material (dielectric constant) and /or thickness of the resin coating 32 covering the conductive wire" (Horiuchi, col. 5, lines 28-33). Horiuchi also discloses improvement of the electrical characteristics of the device for signals transmitted through the bonding wires (20). The examiner points out that "wires" implies multiple wires, which includes applicant's claim of two bonding wires. Further, Horiuchi discloses a signal line and the effects on its impedance by choice of a material for the bonding wires. Applicant does not claim why or how his wires provide a controlled impedance effect (in claim 1), and thus there is no distinction between the claimed wires and Horiuchi's disclosure. The examiner admits that the resin "covering the conductive wire" (Horiuchi, col. 5, line 33) is the reason for the impedance effects in Horiuchi; however, the current claim merely says, "configured" to provide the controlled impedance effect, and the examiner notes that "configured" can encompass both

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applicant's second wire and Horiuchi's resin for controlling the impedance effects of the signal line.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel E. Beveridge whose telephone number is 571-272-5169. The examiner can normally be reached on Monday through Friday, 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JONATHAN JOHNSON
PRIMARY EXAMINER

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